IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA ROCK HILL DIVISION

Tommie Doward Weathers, Jr.,	
Plaintiff,)
,) Civil Action No. 0:22-cv-4084-TMC
V.)
) ORDER
Mr. Weaver, Sheriff; Mrs. J. Clarey, Cpt.;	
Mr. Clark Ard, Major; Mrs. S. Anderson,	
Lt.; and Mrs. Brittany Keefner, Lt.,)
)
Defendants.)
)

Plaintiff Tommie Doward Weathers, Jr., a pretrial detainee proceeding *pro se*, brought this action seeking relief pursuant to 42 U.S.C. § 1983. (ECF Nos. 1; 13). In accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2)(d) and (e) (D.S.C.), this matter was referred to a magistrate judge for all pretrial proceedings. Now before the court is the magistrate judge's Report and Recommendation ("Report"), recommending that the court dismiss this action with prejudice for lack of prosecution. (ECF No. 54 at 2). The Report was mailed to Plaintiff at the address he provided to the court. (ECF No. 55). The Report was not returned to the court, so the Plaintiff is presumed to have received it. Plaintiff was advised of his right to file specific objections to the Report, (ECF No. 54 at 3), but failed to do so. The time for Plaintiff to object to the Report has now expired, and this matter is ripe for review.

The magistrate judge's recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. *Wimmer v. Cook*, 774 F.2d 68, 72 (4th Cir. 1985) (quoting *Mathews v. Weber*, 423 U.S. 261, 270–71 (1976)). Nevertheless, "[t]he district court is only required to review *de novo* those portions of the report to which specific objections have been made, and need not conduct *de novo* review 'when a party

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makes general and conclusory objections that do not direct the court to a specific error in the

magistrate judge's proposed findings and recommendations." Farmer v. McBride, 177 Fed. App'x

327, 330-31 (4th Cir. April 26, 2006) (quoting Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir.

1982)). The court may accept, reject, or modify, in whole or in part, the recommendation made

by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1). However,

in the absence of specific objections to the Report and Recommendation, this Court is not required

to give any explanation for adopting the recommendation. Greenspan v. Brothers Prop. Corp.,

103 F. Supp. 3d 734, 737 (D.S.C. 2015) (citing Camby v. Davis, 718 F.2d 198, 199–200 (4th Cir.

1983)).

After a careful and thorough review of the record under the appropriate standards, as set

forth above, the court finds no reason to deviate from the magistrate judge's recommended

disposition as set forth in the Report. Accordingly, the court ADOPTS the Report (ECF No. 54),

which is incorporated herein, and **DISMISSES** this action with prejudice. All pending motions

are denied as moot.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

Anderson, South Carolina July 6, 2023

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.